

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHENG XIA WANG, CHUNLIN ZHANG, JUN  
QING ZHAO, BAO GUO ZHANG, ZE JUN  
ZHANG A/K/A ZEJUN ZHANG, GUOYI WANG,  
TONG WEI WU, AND ZHI QIANG LU, ON  
BEHALF OF THEMSELVES AND OTHERS  
SIMILARLY SITUATED,

Plaintiffs,

v.

SHUN LEE PALACE RESTAURANT, INC. D/B/A  
SHUN LEE PALACE; T&W RESTAURANT, INC.  
D/B/A SHUN LEE WEST; JOHN HWANG;  
MICHAEL TONG; BIN HU; AND WILLIAM  
HWANG

Defendants.

Case No. 17-cv-00840

**DECLARATION OF  
A. MICHAEL WEBER**

I, **A. Michael Weber**, an attorney admitted to practice before the courts of the State of New York, hereby affirm under penalty of perjury:

1. I am a shareholder with the law firm Littler Mendelson, P.C., attorneys for Defendants Shun Lee Palace Restaurant, Inc. (“Shun Lee East”), T&W Restaurant, Inc. (“Shun Lee West”), John Hwang, Michael Tong, Bin Hu, and William Hwang (collectively, “Defendants”) in connection with the above-captioned action.

2. I am fully familiar with the matters set forth herein, either by personal knowledge or upon review of the files in possession of this firm. I submit this declaration in support of Defendants’ opposition to Plaintiffs’ motion for conditional certification.

3. Shun Lee East is a unionized location, and its waiters and bartenders are subject to a collective bargaining agreement (the “CBA”). A true and correct copy of the CBA is attached as Exhibit A.

4. The terms and conditions of employment for Shun Lee East waiters and bartenders, including compensation and grievance and arbitration procedures, are governed by the CBA. *See* Exhibit A.

5. Defendants produced copies of Plaintiffs' Wage Theft Prevention Act/tip credit notices to Plaintiffs' counsel during the course of discovery.

6. A true and correct copy of a sampling of the pay notices signed by named Plaintiff Cheng Xia Wang during his employment is attached as Exhibit B.

7. A true and correct copy of a sampling of the pay notices signed by named Plaintiff Chunlin Zhang during his employment is attached as Exhibit C.

8. A true and correct copy of a sampling of the pay notices signed by named Plaintiff Jun Qing Zhao a/k/a "Jian Hua Zou," "Kai Shan Wang," "Hua Zhen Xue," and "Feng Ding" during his employment is attached as Exhibit D.

9. A true and correct copy of a sampling of the pay notices signed by named Plaintiff Ze Jun Zhang a/k/a/ "Zexin Zhang" and "Fan Zheng" during his employment is attached as Exhibit E.

10. A true and correct copy of a sampling of the pay notices signed by named Plaintiff Tong Wei Wu during his employment is attached as Exhibit F.

11. A true and correct copy of a sampling of the pay notices signed by named Plaintiff Zhi Qiang Lu during his employment is attached as Exhibit G.

I declare under penalty of perjury under the laws of the New York State, that the foregoing is true and correct.

Date: March 22, 2018  
New York, New York

/s/ A. Michael Weber

A. Michael Weber